

*Confidential Document for Settlement Discussions pursuant to  
Commission's Settlement Guidelines*

**Champlain Hudson Power Express**

**Case 10-T-0139**

February 7, 2012

On December 21, 2011, the Department of Public Service (“DPS”) provided comments on the settlement documents distributed by the Applicants in early December, identifying six issue areas and making suggestions regarding revisions to the documents. DPS requested an alternative analysis to provide for a more thorough review of potential impacts, minimization and mitigation needs associated with the Astoria-Rainey Cable. On December 30, 2011, the Applicants offered a report on this issue. The Applicants are providing an update to that document based on information provided by the staff of the City of New York (“City”).

## **1.0 Overview**

In the course of settlement negotiations, settlement parties have agreed that the converter station for the Champlain Hudson Power Express project should be located in Astoria, Queens, New York (“Astoria”). The converter station shall have a 345 kV high voltage alternating current (“HVAC”) underground connection to the Astoria Annex GIS Substation owned by the New York Power Authority (“NYPA”). As part of the settlement negotiations the Applicants have also proposed to construct a 345 kV HVAC cable circuit from the NYPA GIS Substation to Con Edison’s Rainey Substation (the “Astoria-Rainey Cable”).

The HVAC cables of the Astoria-Rainey Cable would be installed underground in the streets of New York City. The Applicants’ originally proposed route was based on that of the Berrians III proposed feeder between the Astoria Annex and Rainey substations, as developed in the NYISO class year 2010 facility study. This routing was subsequently modified to reflect concerns raised by City staff, although portions of the new route do overlap the original.

## **2.0 Methodology**

The Applicants established a study area bounded to the west by the East River and to the east by Steinway Street. The southern border was set at 36<sup>th</sup> Street, one block south of where the Rainey substation is located. The Applicants believe that this scope is reasonable inasmuch as it provides for a practical number of alternative routes, and there is no indication that any areas to the east or south of this study area would be any more suited to the installation of a transmission system in the city streets.

The Applicants primarily utilized two on-line geographic information system (GIS) access portals: (1) the Oasis website<sup>1</sup> maintained by the CUNY Center for Urban Research; and (2) the City of New York’s NYCityMap site<sup>2</sup>. These two sites provided the following datasets:

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<sup>1</sup> <http://www.oasisnyc.net/map.aspx?zoomto=lot:4008500001>

<sup>2</sup> <http://gis.nyc.gov/doitt/nycitymap/>

- Parks and Public Lands
- Open Space
- Playgrounds
- Schools
- Libraries
- Hazardous waste remediation sites
- New York City Department of Transportation Protected Roads
- Hospitals
- Fire houses
- EMS stations
- Police Stations
- Senior Centers
- Historic Landmarks

### 3.0 Results and Discussion

A figure showing the EMS stations, firehouses, police stations, cultural landmarks, senior centers, hospitals, day care centers, school, libraries, hazardous waste sites, cemeteries, and bike routes within the study area is provided in Attachment A.

#### 3.1 20th Avenue to Hoyts Avenue / RFK Bridge

The proposed route leaves the NYPA substation and exits onto 20<sup>th</sup> Avenue between 31<sup>st</sup> Street and 29<sup>th</sup> Street. Within the study area, 20<sup>th</sup> Avenue is a New York City Department of Transportation (DOT) protected street until September 10, 2014 as well as a Class II Bicycle Route and the “Queens Local Truck Route Network” from Steinway Street North to 21<sup>st</sup> Street. These factors suggest that construction along this roadway should be minimized to the extent possible to limit disruption of traffic patterns. The closest feasible north-to-south options are described below.

##### 31<sup>st</sup> Street

31<sup>st</sup> Street is located immediately to the southeast of the intersection of the cables with 20<sup>th</sup> Avenue. This two-way road is approximately sixty (60) feet in width from curb to curb with dedicated parking on either side. Zoning from 20<sup>th</sup> Avenue to Ditmars Boulevard is zoned as residential except for the properties immediately north of Ditmars Boulevard. However, land use data shows that the eastern side of 31<sup>st</sup> from 21<sup>st</sup> Avenue to Ditmars Boulevard is dedicated to commercial buildings. Steinway Library and the Immaculate Conception School both border 31<sup>st</sup> Street, and the Queens Lutheran Church is one block away at the intersection of 21<sup>st</sup> Avenue and 32<sup>nd</sup> Street.

After the intersection with Ditmars Boulevard, land use patterns along 31<sup>st</sup> Street become more diverse. A subway trestle runs above the roadway south for the entirety of the study area. Zoning is commercial until Hoyt Avenue, but available land use data indicates an equal mix of residential and commercial use along the road segment as well as individual instances of industrial uses, transportation institutions, and vacant lots. PS 85 Judge Charles Vallone Elementary School is located at 23-70 31<sup>st</sup> Street and Hoyt Playground Park at the intersection of 31<sup>st</sup> Street and Hoyt Avenue. Woolsey Finance Station post office is located at 22-66 31<sup>st</sup> Street.

31<sup>st</sup> Street is a DOT protected street from 23<sup>rd</sup> Avenue south to Hoyt Avenue until May 3, 2016. This same length of the roadway is also part of the New York City Department of Environmental

Protection (NYCDEP) District Water Main Replacement project (QED1005), which will replace the distribution water main in Long Island City and Astoria. The project is currently in the pre-design stage and is scheduled to be completed on July 17, 2014.

### 29<sup>th</sup> Street – 23<sup>rd</sup> Street

From 29<sup>th</sup> Street north to 23<sup>rd</sup> Street, the streets are zoned for residential use. City staff has indicated that, due to the presence of water and sewer infrastructure, DOT protected streets, and planned construction, their preferred route would be to utilize 29<sup>th</sup> Street for one block south, turn west onto 21<sup>st</sup> Avenue for five blocks and then turn south onto 23<sup>rd</sup> Street to Hoyts Avenue. Land use mapping indicates that the properties along this route are residential or mixed use except for: (1) St. John's Preparatory School along 21<sup>st</sup> Avenue from 27<sup>th</sup> to Crescent Street; (2) Kid Krazy Preschool at 21-25 21<sup>st</sup> Avenue; and (3) PS 122 at the intersection of Ditmars Avenue and 21<sup>th</sup> Street.

#### **3.1.1 Analysis**

Installation along 31<sup>st</sup> Street would be complicated due to the diverse land use activities located along this roadway. The street has a mix of commercial and residential parcels, as well as schools, open space/park land and a library. The subway trestle that begins south of Ditmars Boulevard would limit the available construction area due to the presence of support structures. In addition, available information suggests that the southern portion of the road is DOT protected until mid-2016 while the Applicants are looking to complete construction and be in service in early 2016.

Construction along the route suggested by City staff would be primarily along residential and mixed use parcels. While the roads along this route are narrower than 31<sup>st</sup> Street, community features are more limited. Based on available information the Applicants would recommend adopting the proposed route which has been developed in consultation with City staff.

### **3.2 Hoyts Avenue / RFK Bridge to Rainey Substation**

The Applicants' proposed route would cross beneath Route 278 and Hoyts Avenue and continue south along 23<sup>rd</sup> Street. Chappetto Square Park is adjacent to the route to the west from 24<sup>th</sup> Drive to Hoyts Avenue and as the route crosses Hoyts Avenue Triborough Bridge Playgrounds B and C are located on either side.

The proposed route would remain on 23<sup>rd</sup> Street until 30<sup>th</sup> Drive. While most of the properties are currently used for residential and mixed residential, available records indicate the entrance to a property utilized for "Transportation/Utility" is located across from where 25<sup>th</sup> Road intersects with 23<sup>rd</sup> Street. No further information on the use of this property is readily available. Our Lady of Mount Carmel Church occupies the eastern side of 23<sup>rd</sup> Street from the intersection of Astoria Boulevard to Newtown Avenue. At 30<sup>th</sup> Drive, the route would turn west for two blocks until reaching 14<sup>th</sup> Street. The Boys Club of Queens has a secondary access between 23<sup>rd</sup> Street and 21<sup>st</sup> Street but otherwise the land use is residential and mixed use.

Turning south on 14<sup>th</sup> Street, the route would proceed two blocks until 31<sup>st</sup> Drive, at which point the route will go one block east to 12<sup>th</sup> Street. At the corner of 30<sup>th</sup> Drive and 14<sup>th</sup> Street is a

“Transportation/Utility” occupant and to south is a small (less than 3,500 square feet) property classified as “Industrial / Manufacturing” use. The Department of Health occupies a building on the corner of 31<sup>st</sup> Avenue and 14<sup>th</sup> Street, although the entrance appears to be on 31<sup>st</sup> Avenue based on the listed address. From 31<sup>st</sup> Avenue south to 31<sup>st</sup> Drive there are three properties classified as “Industrial / Manufacturing” and a small property with a Commercial/Office building.

From 12<sup>th</sup> Street, the route would then travel southwest before connecting to 35<sup>th</sup> Avenue, which it would follow west to the Rainey Substation. The entirety of this portion of the route is zoned residential. However, while the majority of adjoining parcels are residential or mixed residential, there are a wide variety of land uses along the route including industrial and manufacturing. Notable land uses include: (1) Ideal Islamic School at 31-29 12<sup>th</sup> Street; (2) Long Island City High School at the intersection of Broadway and 12<sup>th</sup> Street; (3) Nelson Galvanizing remediation site at 11-02 Broadway; and (4) Ravenswood Senior Center between 34<sup>th</sup> Avenue and 35<sup>th</sup> Avenue. A discussion of the remediation site is provided in Attachment B of this document. Raices Astoria Senior Center (21-12 30 Road) and Engine 262 Fire House (30-89 21 Street) are also near but not along the route.

In terms of alternatives considered, there were a limited number of north-to-south roadways available. The subway trestle over 31<sup>st</sup> Street extends to the boundary of the study area. DOT protected roads include 21<sup>st</sup> Street (October 28, 2016), Crescent Street (September 27, 2016), 23<sup>rd</sup> Street (October 7, 2015), and 29<sup>th</sup> Street (September 29, 2015). Vernon Boulevard extends along the waterfront and runs adjacent to three recreational areas. The Applicants did consider installation along 30<sup>th</sup> Street and 14<sup>th</sup> Street, but City staff strongly discouraged these approaches.

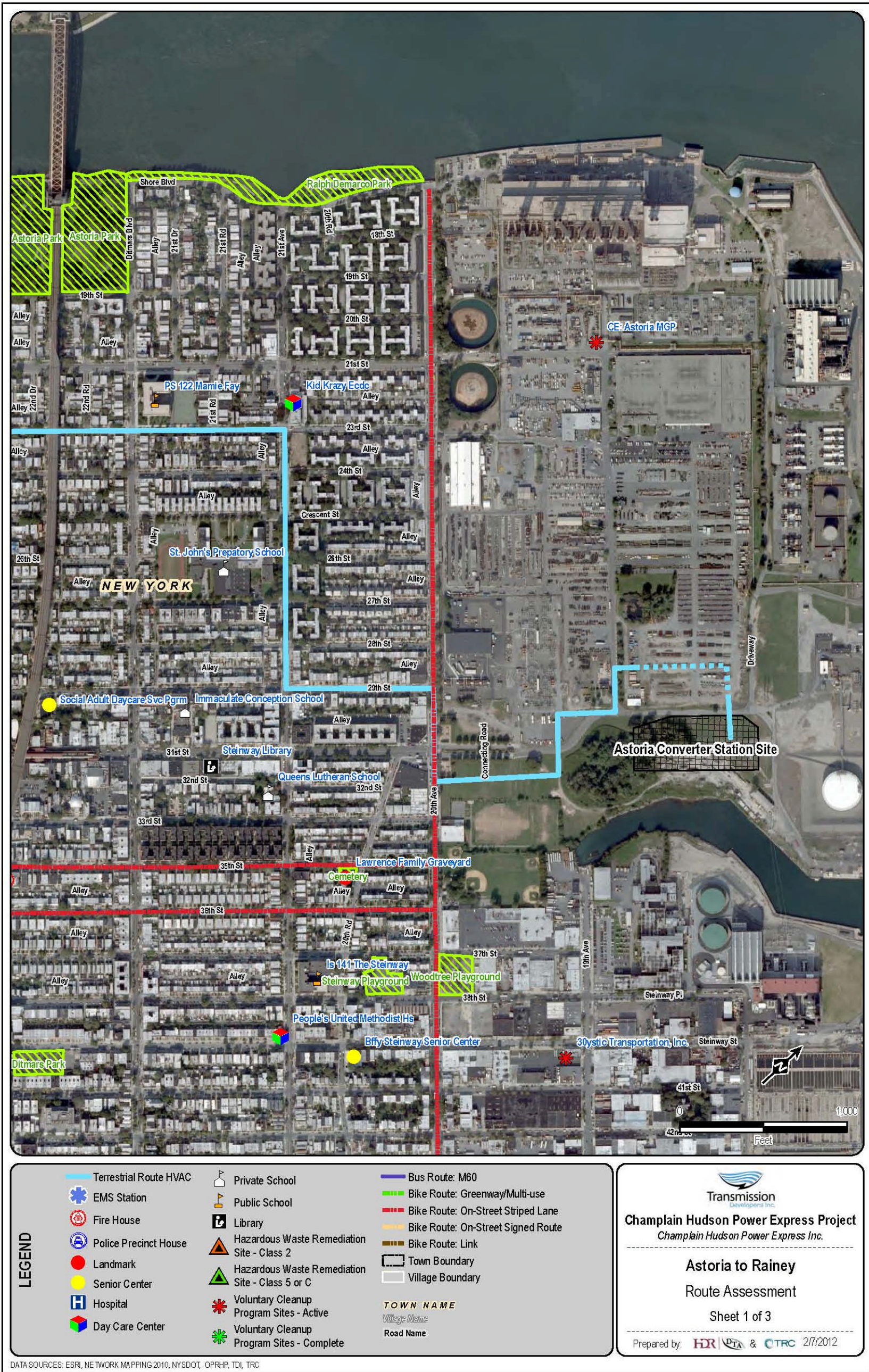
## **4.0 Conclusions**

While the proposed route is adjacent to a number of different land uses so that construction may temporarily disrupt normal land use patterns, a review of available datasets did not point to any route which would be inherently superior to the proposed route. Many of the north-to-south routes would not be available until 2016. And existing City infrastructure, DOT restrictions, and planned construction eliminated other possible alternatives. The Applicants have presented a preferred route which recognizes these existing constraints and which has been reviewed and accepted by City staff.

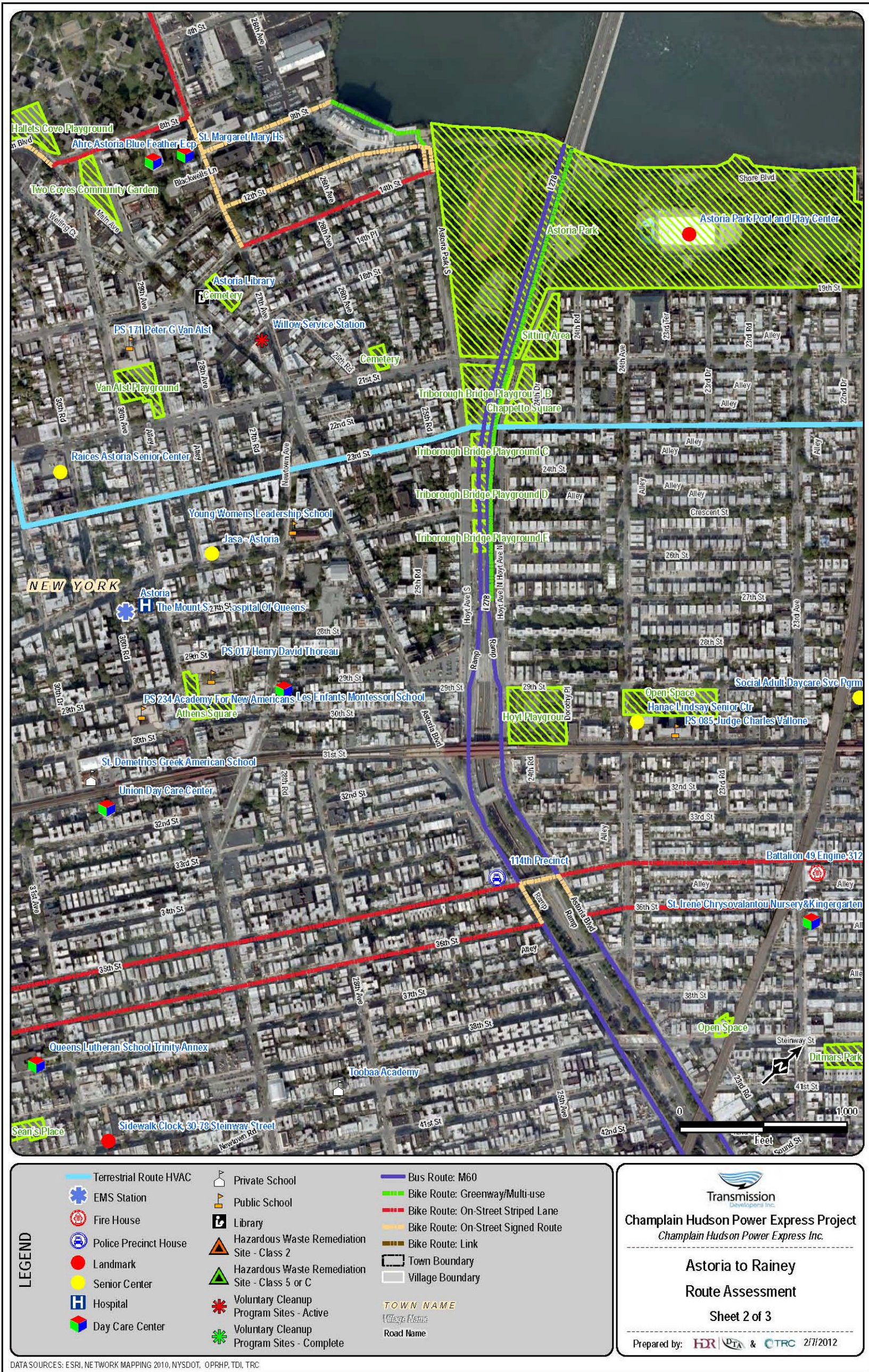
**ATTACHMENT A**

**ASTORIA TO RAINEY ROUTE ASSESSMENT FIGURE**

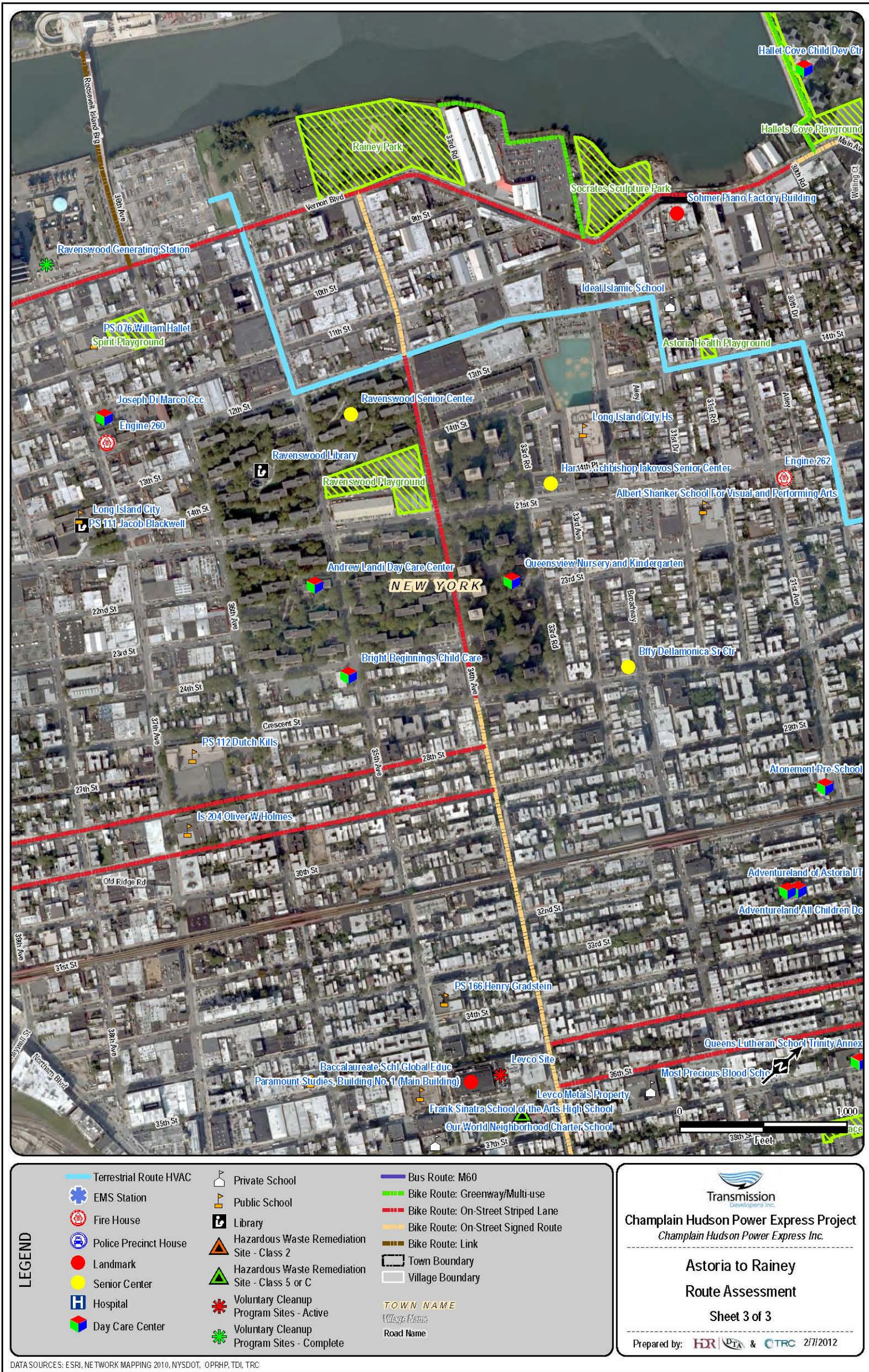














## ATTACHMENT B

### SUMMARY OF HAZARDOUS WASTE INFORMATION

According to the New York City Oasis website<sup>3</sup>, there is one known contamination site located within a reasonable proximity to the proposed route.

**Nelson Galvanizing (EPA ID NYD001229350):** This facility is located at 11-02 Broadway and is bordered by 33<sup>rd</sup> Avenue to the south and 11<sup>th</sup> and 12<sup>th</sup> Street to the west and east, respectively. The site is listed on the Oasis website as a Toxic Release Inventory facility, meaning that it was or is required to report on toxic releases. The facility's standard industrial classification code (SIC) is "coating, engraving and allied services, not elsewhere classified."

The Applicants also identified that the site is on the Comprehensive Environmental Response Compensation and Liability (CERCLIS) Superfund listing<sup>4</sup>. Assessment work began in 1990 with clean-up work planned for 1991 and 2000. The site currently is the subject of federal enforcement. An internet search indicates that sulfuric acid has been identified at the site<sup>5</sup>, which would be consistent with the facility's toxic inventory reporting<sup>6</sup>.

Based on the available information, the Applicants do not believe this site represents a significant issue in terms of installation impacts.

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<sup>3</sup> <http://www.oasisnyc.net/map.aspx?zoomto=lot:4008500001>

<sup>4</sup> [http://iaspub.epa.gov/enviro/efsystemquery.cerclis?fac\\_search=site\\_epa\\_id&fac\\_search\\_type=Beginning+With&postal\\_code=&location\\_address=&add\\_search\\_type=Beginning+With&city\\_name=&county\\_name=&state\\_code=&program\\_search=2&report=2&page\\_no=1&output\\_sql\\_switch=TRUE&database\\_type=CERCLIS&fac\\_value=NYD001229350](http://iaspub.epa.gov/enviro/efsystemquery.cerclis?fac_search=site_epa_id&fac_search_type=Beginning+With&postal_code=&location_address=&add_search_type=Beginning+With&city_name=&county_name=&state_code=&program_search=2&report=2&page_no=1&output_sql_switch=TRUE&database_type=CERCLIS&fac_value=NYD001229350)

<sup>5</sup> [http://www.weitzlux.com/nys/newyorksuperfund/lawsuit/nelsongalvanizing,inc\\_17851.html](http://www.weitzlux.com/nys/newyorksuperfund/lawsuit/nelsongalvanizing,inc_17851.html)

<sup>6</sup> [http://iaspub.epa.gov/enviro/tris\\_control.tris\\_print?tris\\_id=11106NLSNG1102B](http://iaspub.epa.gov/enviro/tris_control.tris_print?tris_id=11106NLSNG1102B)